

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

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In re:  
  
BED BATH & BEYOND INC., *et al.*,<sup>1</sup>  
  
Debtors.

Chapter 11  
  
Case No. 23-13359 (VFP)  
  
(Jointly Administered)

**APPLICATION FOR ORDER SHORTENING TIME**

Michael Goldberg, solely in his capacity as the Plan Administrator (the “Plan Administrator”) to 20230930-DK-Butterfly-1, Inc. (f/k/a Bed Bath & Beyond Inc.) (“BB&B”)<sup>2</sup> and affiliated debtors (the “Debtors”), by and through his undersigned counsel, requests that the time period for the hearing on the *Plan Administrator’s Motion to Enforce Injunctive Provisions*

<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor’s tax identification number may be obtained on the website of the Debtor’s proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>.

<sup>2</sup> Pursuant to the *Certificate of Amendment of the Certificate of Incorporation of Bed Bath & Beyond Inc.*, which was filed with the State of New York Department of State on September 21, 2023, the name of the entity formerly known as “Bed Bath & Beyond Inc.” was changed to 20230930-DK-Butterfly, Inc. [Filing ID No. 230921001833 DOS ID 315602].

of Plan and Confirmation Order [Docket No. 3437] (the “Motion to Enforce”)<sup>3</sup> as required by D.N.J. LBR 9013-2 be shortened pursuant to Fed. R. Bankr. P. 9006(c)(1), for the reason(s) set forth below:

1. A shortened time hearing is requested because: The time period by which the Plan Administrator must respond to the Violative Complaint is August 28, 2024, which is prior to the hearing on the Motion to Enforce. The Motion to Enforce seeks an order (i) enforcing the discharge and injunction provisions of the Plan and Confirmation Order to prohibit Anthony Mitchell, an alleged former shareholder of BB&B, from continuing to prosecute, in violation of the Plan and Confirmation Order, the Violative Action. The hearing on the Motion to Enforce is currently scheduled for September 10, 2024 at 10:00 a.m. (ET).

2. State the hearing dates requested: The Plan Administrator respectfully requests that the Court hear the Motion at its earliest convenience.

3. Reduction of the time period is not prohibited under Fed. R. Bankr. P 9006(c)(1).

The applicant requests entry of the proposed order shortening time.

Dated: August 12, 2024

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Colin R. Robinson

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<sup>3</sup> A capitalized term used but not otherwise defined herein shall have the meaning ascribed to it in the Motion to Enforce.

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**ORDER SHORTENING TIME**

The relief set forth on the following page is hereby **ORDERED**.

Upon review of the Plan Administrator's *Application for Order Shortening Time* (the "Application"),<sup>2</sup> for entry of an order (this "Order") requesting that the time period for the *Plan Administrator's Motion to Enforce Injunctive Provisions of Plan and Confirmation Order* [Docket No. 3437] (the "Motion to Enforce"), be shortened pursuant to Fed. R. Bankr. P. 9006(c)(1).

**IT IS HEREBY ORDERED THAT:**

<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtor's proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>.

<sup>2</sup> Capitalized terms not otherwise defined herein have the meanings ascribed to them in the Application.

1. A hearing (the "Hearing") will be conducted on the Motion on August \_\_\_\_, 2024 at \_\_\_\_:\_\_\_\_ a.m./p.m. (E.T.), before the Honorable Judge Vincent F. Papalia, Martin Luther King Jr. Federal Building, 50 Walnut Street, Courtroom 3B, Newark, New Jersey 07102.

2. The Plan Administrator must serve a copy of this Order, and all related documents to all parties in interest by either regular mail or email, as applicable.

3. Service must be made within \_\_\_\_ days of the date of this Order.

4. Notice by telephone is not required.

5. Any objections to the Motion may be presented in writing by filing such objections in advance of the Hearing or orally at the Hearing.

6. Information to participate in the hearing via zoom can be found at [www.njb.uscourts.gov/bbb#zoom](http://www.njb.uscourts.gov/bbb#zoom).